

1 JOSEPH P. RUSSONIELLO (CABN 44332)  
2 United States Attorney

3 BRIAN J. STRETCH (CABN 163973)  
4 Chief, Criminal Division

5 WENDY THOMAS (NYBN 4315420)  
6 Special Assistant United States Attorney

7 450 Golden Gate Avenue, 11<sup>th</sup> Floor  
8 San Francisco, California 94102  
Telephone: (415) 436-6809  
Fax: (415) 436-7234  
Email: wendy.thomas@usdoj.gov

9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, ) No. CR 06-0785 MAG  
14 Plaintiff, )  
15 v. ) MOTION AND [PROPOSED] ORDER  
16 RICHARD TABOR III, ) TO DISMISS INFORMATION  
17 Defendant. )  
18

19 With leave of the Court, and pursuant to Federal Rule of Criminal Procedure 48(a), the  
20 United States Attorney for the Northern District of California moves to dismiss the above  
21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

FILED

FEB 05 2008

RICHARD W. WIEKING  
CLERK U.S. DISTRICT COURT,  
NORTHERN DISTRICT OF CALIFORNIA

Information with prejudice. The defendant has successfully completed his pretrial diversion program.

Respectfully submitted,

JOSEPH P. RUSSONIELLO  
United States Attorney

DATED: 2/4/08

/s/  
**WENDY THOMAS**  
Special Assistant United States Attorney

The Court hereby grants leave to dismiss the above Information with prejudice.

DATED: 2-5-08

~~JAMES LARSON~~ **Maria Elena James**  
United States Magistrate Judge